

CITY OF SEATTLE
ORDINANCE 124227
COUNCIL BILL 117789

AN ORDINANCE relating to historic preservation, imposing controls upon the Ballard Carnegie Free Public Library Building, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of sites, improvements, and objects having historical, cultural, architectural, engineering, or geographic significance; and

WHEREAS, the Landmarks Preservation Board (Board), after a public meeting on September 19, 2012, voted to approve the nomination of the improvement located at 2026 Northwest Market Street and the site on which the improvement is located (which collectively are referred to as "the Ballard Carnegie Free Public Library Building" for the purposes of this ordinance), for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on November 7, 2012, the Board voted to approve the designation of the Ballard Carnegie Free Public Library Building under SMC Chapter 25.12; and

WHEREAS, The Board and the owner of the designated landmark were unable to reach an agreement on recommended controls and incentives; and

WHEREAS, on February 12, 2013, the Board adopted its recommendation on controls and incentives; and

WHEREAS, the Board filed its recommendation with the Hearing Examiner, served a copy of the recommendation on the owner of the designated landmark, and the owner did not file objections with the Examiner within 15 days of service of the recommendation; and

WHEREAS, the Board recommends that the City Council enact a designating ordinance approving the controls and incentives; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:



1 Section 1. DESIGNATION: Pursuant to SMC 25.12.660, the designation by the
2 Landmarks Preservation Board (Board) of the improvement located at 2026 Northwest Market
3 Street and the site on which the improvement is located (which collectively are referred to as
4 “the Ballard Carnegie Free Public Library Building” for the purposes of this ordinance), is
5 hereby acknowledged.

6 A. Legal Description. The Ballard Carnegie Free Public Library Building is located
7 on the property legally described as:
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9 Lots 18 and 19, Block 57, Gilman Park Addition, according to the plat thereof
10 recorded in Volume 3 of plats, pages 40 and 41, records of King County,
11 Washington except the east 5.08 feet of Lot 18 of said plat; and the north 5 feet of
12 said lots, condemned in King County Superior Court Cause No. 67008 for alley
13 purposes.
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15 B. Specific Features or Characteristics Designated. Pursuant to SMC 25.12.660.A.2,
16 the following specific features or characteristics of the Ballard Carnegie Free Public Library
17 Building are designated:

- 18 1. The exterior of the improvement known as the Ballard Carnegie Free Public
19 Library Building.
- 20 2. The site consisting of the property described in subsection 1.A on which the
21 improvement known as the Ballard Carnegie Free Public Library Building is
22 located.
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24 C. Basis of Designation. The designation was made because the Ballard Carnegie
25 Free Public Library Building is more than 25 years old, has significant character, interest or
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value as a part of the development, heritage or cultural characteristics of the City, state or nation,
has integrity or the ability to convey its significance, and satisfies the following from SMC
25.12.350:

1. It is associated in a significant way with a significant aspect of the cultural, political, or economic heritage of the community, City, state or nation (SMC 25.12.350.C).
2. It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction (SMC 25.12.350.D).
3. It is an outstanding work of a designer or builder (SMC 25.12.350.E).
4. Because of its prominence of spatial location, contrasts of siting, age, or scale, it is an easily identifiable visual feature of its neighborhood or City and contributes to the distinctive quality or identity of such neighborhood or the City (SMC 25.12.350.F).

Section 2. CONTROLS: The following controls are hereby imposed on the features or characteristics of the Ballard Carnegie Free Public Library Building that were designated by the Board for preservation:

A. Certificate of Approval Process.

1. Except as provided in subsection 2.A.2 or subsection 2.B of this ordinance, the owner must obtain a Certificate of Approval issued by the Board pursuant to SMC Chapter 25.12, or the time for denying a Certificate of Approval must have expired, before the owner may make alterations or significant changes to the following specific features or characteristics:

- a. The exterior of the improvement known as the Ballard Carnegie Free Public Library Building.
 - b. The site consisting of the property described in subsection 1.A on which the improvement known as the Ballard Carnegie Free Public Library Building is located.
2. No Certificate of Approval is required for the following:
- a. Any in-kind maintenance or repairs of the features or characteristics listed in subsection 2.A.1 of this ordinance.
 - b. Installation, removal or alteration of the following landscape elements: trees less than 8 inches in diameter measured 4 ½ feet above ground, shrubs, perennials and annuals.
 - c. Removal of existing chain-link, and wood/galvanized mesh fencing.
 - d. Installation, removal or alteration of temporary site furnishings, including benches, and movable planter boxes.
 - e. Installation, removal, or alteration (including repair) of underground irrigation and underground utilities, provided that the site is restored in-kind.
 - f. Installation, removal, or alteration of temporary interior window coverings.

B. City Historic Preservation Officer Approval Process.

1. The City Historic Preservation Officer (CHPO) may review and approve alterations or significant changes to the features or characteristics listed in subsection 2.B.3 of this ordinance according to the following procedure:



- a. The owner shall submit to the CHPO a written request for the alterations or significant changes, including applicable drawings or specifications.
 - b. If the CHPO, upon examination of submitted plans and specifications, determines that the alterations or significant changes are consistent with the purposes of SMC Chapter 25.12, the CHPO shall approve the alterations or significant changes without further action by the Board.
 - c. If the CHPO does not approve the alterations or significant changes, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC Chapter 25.12.
2. The CHPO shall transmit a written decision on the owner's request to the owner within 14 days of receipt of the request. Failure of the CHPO to timely transmit a written decision constitutes approval of the request.
 3. CHPO approval of alterations or significant changes to the features or characteristics listed in subsection 2.A.1 of this ordinance is available for the following:
 - a. For the specified features and characteristics of the building, the addition or elimination of ducts, conduits, HVAC vents, grilles, fire escapes, pipes, and other similar wiring or mechanical elements necessary for the normal operation of the building.
 - b. Removal of hazardous trees more than 8 inches in diameter measured 4 ½ feet above ground.

- c. Installation, removal, or alterations of exterior light fixtures, including exterior security lighting, and security system equipment.
- d. Installation, removal, or alterations of non-illuminated exterior signage less than 6 square feet in area.

Section 3. INCENTIVES. The following incentives are hereby granted on the features or characteristics of the Ballard Carnegie Free Public Library Building that were designated by the Board for preservation:

A. Uses not otherwise permitted in a zone may be authorized in a designated landmark by means of an administrative conditional use permit issued pursuant to SMC Title 23.

B. Exceptions to certain of the requirements of the Seattle Building Code, SMC Chapter 22.100, and the Seattle Energy Code, SMC Chapter 22.700, may be authorized pursuant to the applicable provisions thereof.

C. Special tax valuation for historic preservation may be available under RCW Chapter 84.26 upon application and compliance with the requirements of that statute.

D. Reduction or waiver, under certain conditions, of minimum accessory off-street parking requirements for uses permitted in a designated Landmark structure, may be permitted pursuant to SMC Title 23.

Section 4. Enforcement of this ordinance and penalties for its violation are as provided in SMC 25.12.910.



1 Section 5. The Ballard Carnegie Free Public Library Building is hereby added
2 alphabetically to Section II, Buildings, of the Table of Historical Landmarks contained in SMC
3 Chapter 25.32.

4 Section 6. The City Clerk is directed to record a certified copy of this ordinance with the
5 King County Director of Records and Elections, deliver two certified copies to the CHPO, and
6 deliver one copy to the Director of the Department of Planning and Development. The CHPO is
7 directed to provide a certified copy of the ordinance to the owner of the landmark.
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9 Section 7. This ordinance shall take effect and be in force 30 days after its approval by
10 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
11 shall take effect as provided by Seattle Municipal Code Section 1.04.020.
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1 Passed by the City Council the 22nd day of July, 2013, and
2 signed by me in open session in authentication of its passage this
3 22nd day of July, 2013.

4 [Signature]
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6 President _____ of the City Council

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8 Approved by me this 31st day of July, 2013.

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10 [Signature]
11 Michael McGinn, Mayor

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13 Filed by me this 31st day of July, 2013.

14 [Signature]
15
16 Monica Martinez Simmons, City Clerk

17 (Seal)

18 State of Washington,
19 County of King

20 I, Tanet Polata certify that this is a true and correct
21 copy of Ordinance No. 124227, on file in the records
22 of the City of Seattle, Office of the City Clerk



Signed by: [Signature]
Signature
Title: Legislative Information Specialist
Date: August 8, 2013

